

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HIDEYASU NAGAI, HOICHI SUZUKI,
TOMOKI FUKAGAWA and FUMINORI HIKAMI

Application No. 09/479,267

MAILED

SEP 16 2005

U.S. PATENT AND TRADEMARK OFFICE
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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on August 12, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On December 17, 2003, an Examiner's Answer was mailed. A review of the Examiner's Answer reveals that the information contained therein pertaining to the appeals conference is not in compliance with the Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., Rev. 2, May 2004). The MPEP states in part:

On the examiner's answer, below the primary examiner's signature, the word "Conferee should be included, followed by the typed or printed names of the other two appeal conference participants. **These two appeal conference participants must place their initials next to their name.** This will make the record clear that an appeal conference has been held. (Emphasis added)

The typed conferees names in the answer have not been signed/initialed as required by MPEP §1208 as noted above.

Accordingly, it is

ORDERED that the application is returned to the examiner for the examiner to submit a proper examiner's answer complying with the MPEP conferee requirements noted above, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



CRAIG FEINBERG
Program and Resource Administrator
(571) 272-9797

cc: BRADLEY J. BEREZNAK
BURGESS & BEREZNAK LLP
800 WEST EL CAMINO REAL
SUITE 180
MOUNTAIN VIEW, CA 49040

CF/vsh